

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

022404

10623 U.S. PTO

22389 U.S. PTO  
10785322

022404

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</small>		Attorney Docket No.	1932.2005-042	
		First Named Inventor or Application Identifier	Joseph E. Tyler	
		Express Mail Label No.	EV 214947112 US	
Title of Invention	DIRECT COMPRESSION POLYMER TABLET CORE			

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Specification <span style="float: right;"><b>Total Pages [13]</b></span> <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;"><b>Total Sheets [1]</b></span> <input type="checkbox"/> Fig. of the Drawings for Publication <input type="checkbox"/> <input checked="" type="checkbox"/> No Figure to be Published 4. <input checked="" type="checkbox"/> Oath or Declaration <span style="float: right;"><b>Total Pages [3]</b></span> a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). 5. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i>	6. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i> a. <input type="checkbox"/> Computer Readable Form b. <input type="checkbox"/> Paper Copy (identical to computer copy) <input type="checkbox"/> Pages c. <input type="checkbox"/> Statements verifying identity of above copies <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>ACCOMPANYING APPLICATION PARTS</b>          7. <input type="checkbox"/> Assignment Papers (cover sheet &amp; documents)              <input checked="" type="checkbox"/> Assignee - Genzyme Corporation                  Cambridge, MA          8. <input type="checkbox"/> Power of Attorney <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement          9. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>          10. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Citations              Statement (IDS)/PTO-1449          11. <input type="checkbox"/> Preliminary Amendment          12. <input checked="" type="checkbox"/> Return Receipt Postcard          13. <input type="checkbox"/> Small Entity Statement(s)          14a. <input type="checkbox"/> Foreign Priority Claim under 35 U.S.C. §119 or 365          14b. <input type="checkbox"/> Certified Copy of Priority Document(s)          15. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i>          16. <input checked="" type="checkbox"/> Other <u>Remarks/Change of Correspondence Address Letter</u> </div>

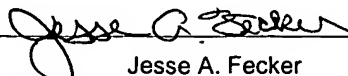
17. If a **CONTINUING APPLICATION**, check appropriate box; supply the requisite information.

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/691,429

Prior application information: Examiner: Konata M. George Group Art Unit: 1616

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.  
*(Add standard Related Applications section with incorporation by reference to specification or update same)*

18. CORRESPONDENCE ADDRESS					
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Signature		Date	2-24-04
Submitted by Typed or Printed Name	Jesse A. Fecker	Reg. Number	52,883

# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

022404

16423 U.S. PTO

## FEE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	1932.2005-042
Application Number	Continuation of 09/691,429
First Named Inventor	Joseph E. Tyler

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	4 - 20* =	0	x \$ 18 =	\$ 0
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1 - 3** =	0	x \$ 86 =	\$ 0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 290 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 770
	Total of above Calculations =				\$ 770
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 770
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	[Other]				\$
	TOTAL =				\$ 770

\* Reissue claims in excess of 20 and over original patent  
 \*\* Reissue independent claims over original patent

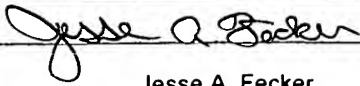
1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$770. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature		Date	2-24-04
Submitted by Typed or Printed Name	Jesse A. Fecker	Reg. Number	52,883

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph E. Tyler and John S. Petersen

Continuation Application of

Application No.: 09/691,429

Filed: October 18, 2000

For: DIRECT COMPRESSION POLYMER TABLET CORE

<p>Date: <u>2/24/04</u></p> <p>EXPRESS MAIL LABEL NO. <u>EV 214947112 US</u></p>
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REMARKS/CHANGE OF CORRESPONDENCE ADDRESS

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-captioned application is a continuation of Application Number 09/691,429, filed on October 18, 2000, to which priority is claimed under 35 U.S.C. §120.

The specification of the present application is substantially the same as that of the parent application. The related applications paragraph has been updated. Also, the specification has been revised to incorporate amendments entered in the parent application. No new matter has been added.

Claims 1-3 of the instant application correspond to Claims 19-21 of the parent application. Claim 4 is newly added. Support for Claim 4 can be found, for example, at page 6, lines 18-24. A newly executed declaration under 37 C.F.R. 1.63 is not believed to be necessary under 37 C.F.R. 1.63(d) or 1.67(b).

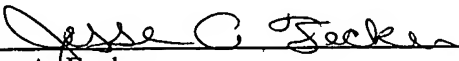
Claims corresponding to instant Claim 1-3 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,264,937 to Mandeville, *et al.* (hereinafter, "Mandeville"). However, Mandeville does not teach a compressed tablet comprising an effective disintegrating amount of polyallylamine. In particular, Mandeville does not disclose what constitutes an effective disintegrating amount of polyallylamine. Thus, Claims 1-3 are novel over Mandeville.

Claim 4 is further distinguished from Mandeville, in that Claim 4 requires the polyallylamine not to be an active ingredient. The polyallylamines taught be Mandeville are used as active ingredients in pharmaceutical compositions. Mandeville clearly does not teach a compressed tablet comprising an effective distintegrating amount of polyallylamine, where polyallylamine is *not* present as an active ingredient. Thus, Claim 4 is clearly novel over Mandeville.

Pursuant to 37 C.F.R. 1.63(d)(4), please note that a new Power of Attorney and a Notice of Change of Correspondence Address was submitted in parent Application No. 09/691,429. Please send all correspondence in the above-identified continuation application to: Customer No. 021005; Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133. In addition, please direct all telephone calls to **Steven G. Davis, Esq.** at (978) 341-0036, and all facsimile communications to (978) 341-0136.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By   
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Dated: 2-24-04